

DEC 31 2019

David J. Bradley, Clerk of Court

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

Vs.

Javier Marroquin

CRIMINAL COMPLAINT

Case Number: C-19-4799M

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about December 30, 2019 in Kenedy County, in the Southern District of Texas, defendant, Javier Marroquin

did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law


in violation of Title 8 United States Code, Section(s) 1324  
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:  
Official Title

See Attached Affidavit of U.S. Border Patrol Agent David Stone

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on the:

  
Signature of Complainant

**David Stone**

Printed Name of Complainant

December 31, 2019

Date

at

Corpus Christi, Texas

City and State

Jason B. Libby U.S. Magistrate Judge

Name and Title of Judicial Officer

  
Signature of Judicial Officer

## **AFFIDAVIT**

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information relayed to me by other agents and officers participating in the investigation.

### **SYNOPSIS:**

On December 30, 2019 Javier MARROQUIN was arrested at the Sarita, Texas Border Patrol Checkpoint attempting to smuggle three illegal aliens.

### **ENCOUNTER:**

At approximately 7:55 a.m., Border Patrol Agents assigned to the Sarita, Texas Border Patrol checkpoint observed a white Pontiac Grand Prix approach the primary inspection lane for immigration inspection. The agent questioned the driver, later identified as, Javier MARROQUIN, as to his citizenship. MARROQUIN stated he was a United States citizen and he was going to Houston, Texas. At that point the on duty canine handler informed the agent that his service canine was alerting to the rear of the vehicle. The agent asked for consent to search the trunk and MARROQUIN stated, "I might as well tell you, someone is in the trunk." At that point MARROQUIN was detained and escorted inside the checkpoint.

The vehicle was moved to the secondary inspection area where three individuals were discovered inside the trunk. The subjects, later identified as Byron APOLO-Salinas, Jose VALENCIA-Venegas and Luis AMEZCUA-Bram, were removed from the trunk and determined to be citizens of Mexico and Ecuador, illegally present in the United States.

All subjects were placed under arrest and escorted inside the checkpoint.

### **MIRANDA RIGHTS**

MARROQUIN was read his Miranda Rights in the English language. Subject stated he understood their rights but was not willing to provide a statement without the presence of an attorney.

The material witnesses, AMEZCUA and VALENCIA were read their Miranda Rights in his preferred language of Spanish. Subjects stated they understood their rights and were willing to provide a statement without the presence of an attorney.

### **MAT/WIT STATEMENT (Luis AMEZCUA-Bram)**

AMEZCUA stated, after crossing into the United States illegally he stayed in two different houses before being taken to a hotel in San Benito, Texas. AMEZCUA stated, he was instructed to enter the trunk of a car at 6:00 a.m. on the morning of the arrest. AMEZCUA stated, he did not know how to exit the trunk in case of emergency and he was unable to identify the driver.

**MAT/WIT STATEMENT (Jose VALENCIA-Venegas)**

Valencia stated, after crossing into the United states illegally he stayed at a house before being transported to a hotel. VALENCIA stated, he entered the trunk of a car as instructed at 4:20 a.m. on the morning of the arrest. VALENCIA claimed to have trouble breathing inside the trunk and was worried how he would exit if the vehicle wrecked. Valencia stated, he was unable to identify the driver of the vehicle.

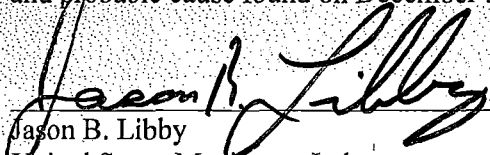
**DISPOSITION:**

The case was accepted by the Assistant United States Attorney's Office against Javier MARROQUIN for prosecution of Title 8 USC 1324, Alien Smuggling. Luis AMEZCUA-Bram and Jose VALENCIA-Venegas will be held as a material witnesses in this case.



David Stone  
Border Patrol Agent

Submitted by reliable electronic means, sworn to,  
signature attested telephonically per Fed.R.Crim.P.4.1,  
and probable cause found on December 31, 2019.



Jason B. Libby  
United States Magistrate Judge